

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**JUANETTE ROBERTS**

**PLAINTIFF**

**v.**

**No. 5:13-cv-305-DPM**

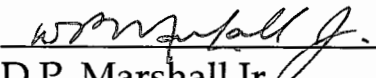
**CRESTPARK STUTTGART, LLC; STUTTGART  
VISION CLINIC; GEORGE M. DUNN, JR., ODPa;  
CHERYL CONNALLY; and MISTY COX**

**DEFENDANTS**

**ORDER**

Roberts's motion for reconsideration, *No. 61*, is denied. Her points about retaliation and constructive discharge are re-argument; the Court has already addressed them. On discrimination, the Court doesn't see a hearsay problem. What Roberts said S.C. said would be hearsay, FED. R. EVID. 801(c), which cannot be considered. The Court noted and considered Oliver's affidavit. *No. 59 at 6*. The Court relied on Cox's conclusion after her investigation of S.C.'s conduct, not on the resident's exact words. The Court stands by its decision that S.C. is not a valid comparator and that there is no jury issue on pretext.

So Ordered.

  
D.P. Marshall Jr.  
United States District Judge

16 June 2015